

REMARKS/ARGUMENTS

The Applicants originally submitted Claims 1-42 in the application. In previous responses, the Applicants amended Claims 1, 12-13, 19, 25, 31-34 and 37 and cancelled Claims 9, 10, 15-17, 24, 29, 30, 35-36, 41 and 42. The Applicants amend Claims 1, 19, 25, 31 and 37 herein without prejudice or disclaimer. Accordingly, Claims 1-8, 11-14, 18-23, 25-28, 31-34, and 37-40 are currently pending in the application.

I. Rejection of Claims 1, 2, 6-8, 11, 14, 19, 20, 22-23, 25-26, 28, 34, 37-38 and 40 under 35 U.S.C. § 103

The Office has rejected Claims 1, 2, 6-8, 11, 14, 19, 20, 22-23, 25-26, 28, 34, 37-38 and 40 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,884,032 to Bateman, *et al.* (hereinafter “Bateman”) in view of U.S. Patent No. 6,574,216 to Farris, *et al.* (hereinafter “Farris”) and further in view of U.S. Patent No. 6,456,699 to Burg, *et al.* (hereinafter “Burg”). The Applicants respectfully traverse the rejection.

The Action states that “‘providing an automated suggestion’ reads on IVR server being capable of providing help on a variety of subjects.” (*See* page 3.) The Applicants respectfully note that the stated reasoning reads outdated limitations on the cited references. The limitation “providing an automated suggestion” was cancelled in the Applicants’ response filed 12 December 2007. (*See, e.g.,* amendments to Claims 1, 19, 25, 31 and 37 therein.) Thus, the *prima facie* case of obviousness is fatally flawed, the presumption of validity is undisturbed, and the claims are allowable.

The Applicants’ representative and the Examiner discussed the Application on May 19. The Applicants submit amendments consistent with that discussion herewith without prejudice or disclaimer to clarify the relationship of the claim elements. Independent Claims 1, 19, 25, 31 and 37

now include the limitation “transmitting, via the second communication channel, a computer generated voice message that includes an instruction to select the link” or similar language. The Applicants respectfully assert that this element is not taught or fairly suggested by the references as applied in the 20 March Action. Moreover, as applied the references do not teach or suggest the relationship between an “automated option comprises a link to be displayed on a web page” and “transmitting … a computer generated voice message that includes an instruction to select the link.[”]

(Emphasis added.)

Accordingly, Claims 1, 19, 25, 31 and 37 are allowable over the combination of Bateman, Farris and Burg as applied. The remaining claims, depending from allowable base claims, are therefore also allowable. Accordingly, the Applicants respectfully request that that the Office withdraw the rejection of Claims 1, 2, 6-8, 11, 14, 19, 20, 22, 23, 25, 26, 28, 34, 37, 38 and 40 under § 103(a) and allow issuance thereof.

II. Rejection of Claims 3, 4, 5, 12, 13, 18, 21 27, 33 and 39 under 35 U.S.C. § 103

The Examiner has rejected Claims 3, 4, 5, 12, 13, 18, 21, 27, 33 and 39 under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Farris, further in view of Burg and further in view of U.S. Patent No. 6,279,125 to Klein (hereinafter “Klein”). The Applicants respectfully traverse the rejection.

As set forth above, independent Claims 1, 19, 25, 31 and 37 are allowable. Claims 3, 4, 5, 12, 13, 18, 21 27, 33 and 39, depending from allowable base claims, are therefore also allowable. Accordingly, the Applicants respectfully request that that the Office withdraw the rejection of Claims 3, 4, 5, 12, 13, 18, 21, 27, 33 and 39 under § 103(a) and allow issuance thereof.

III. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-8, 11-14, 18-23, 25-28, 31-34, and 37-40.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,
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